

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MICHAEL J. HYDE, )  
Plaintiff )  
v. )  
NORFOLK COUNTY )  
SHERIFF'S OFFICE, ET AL )  
Defendants )

CIVIL ACTION NO.  
04-12429RWZ

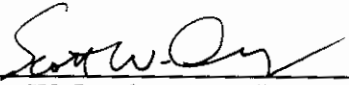
LIST OF EXHIBITS

EXHIBIT 1: NORFOLK COUNTY CRIMINAL DOCKET

EXHIBIT 2: NORFOLK COUNTY CRIMINAL COMPLAINT

EXHIBIT 3: WAIVER OF RIGHTS

Respectfully submitted,  
For the Defendants Paul Baker and  
Rachel Ruthier

  
\_\_\_\_\_  
Scott W. Dunlap (BBO# 634389)  
Law Offices of Timothy M. Burke  
160 Gould Street, Suite 111  
Needham, MA 02494  
(781) 455-0707

<b>CRIMINAL DOCKET</b>		<b>DOCKET NO.</b> <b>D354CR000471</b>		<b>ATTORNEY NAME</b>	
<b>COURT DIVISION</b> <b>Dedham</b>		<input type="checkbox"/> <b>INTERPRETER REQUIRED</b>		<b>DATE and JUDGE</b>	
<b>JAMF: ADDRESS AND ZIP CODE OF DEFENDANT</b> <b>HYDE, MICHAEL</b> <b>148 BRICKEL ROAD</b> <b>STOUGHTON, MA 02072</b>				<b>DOCKET ENTRY</b> <input type="checkbox"/> Attorney appointed (S.I.C.R. 3.10) <input type="checkbox"/> Alty denied and Dett Advised per 211D §2A <input type="checkbox"/> Waiver of counsel found after colloquy	
<b>LEFT, DOB AND SEX</b> <b>11/24/1967 M</b>		<b>PLACE OF OFFENSE(S)</b> <b>NEEDHAM</b>		<b>Terms of release set:</b> <input type="checkbox"/> PR <input checked="" type="checkbox"/> Bail: <b>500. cash posted</b> <input type="checkbox"/> Hold (278 §5AA) <input type="checkbox"/> See back for special conditions	
<b>DATE OF OFFENSE(S)</b> <b>02/15/2003</b>		<b>POLICE DEPARTMENT (if applicable)</b> <b>SP FRAMINGHAM HDQTRS</b>		<b>Assigned and advised:</b> <input checked="" type="checkbox"/> Potential of bail revocation (278 §5A) <input type="checkbox"/> Right to bail review (276 §5B) <input type="checkbox"/> Right to drug exam (111F §10)	
<b>COMPLAINANT</b> <b>ROUTHIER, RACHAEL</b>		<b>RETURN DATE AND TIME</b> <b>ARREST</b>		<b>Advised of right to jury trial:</b> <input type="checkbox"/> Does not waive <input type="checkbox"/> Waiver of jury trial found after colloquy	
<b>DATE OF COMPLAINT</b> <b>02/18/2003</b>		<b>ADVISORY OF TRIAL RIGHTS</b> <b>ADVISED OF TRIAL RIGHTS AS PRO SE (Supp. R. 4)</b>		<b>ADVISORY OF RIGHT OF APPEAL</b> <b>ADVISED OF RIGHT OF APPEAL TO APPEALS CT (R. 28)</b>	
<b>COUNT/OFFENSE</b> <b>1. 272/99/F WIRETAP, UNLAWFUL c272 §99(C)(1)</b>		<b>SENTENCE OR OTHER DISPOSITION</b> <input type="checkbox"/> Sufficient facts found but continued without guilty finding until: <input checked="" type="checkbox"/> Probation <b>11-23-06</b> <input type="checkbox"/> Pretrial Probation (278 §87) - until: <input type="checkbox"/> To be dismissed upon payment of court costs/restitution <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Comm. <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Dett <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Dett's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70C)		<b>FINE</b> <b>700.00</b> <b>SURFINE</b> <b>COSTS</b> <b>RESTITUTION</b> <b>VW ASSESSMENT</b> <b>190</b> <input type="checkbox"/> <b>WAIVED</b>	
<b>DISPOSITION DATE and JUDGE</b> <b>11-24-04 CONNORS</b>		<b>FINAL DISPOSITION</b> <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged		<b>JUDGE</b> <b>DATE</b>	
<b>DISPOSITION METHOD</b> <input checked="" type="checkbox"/> Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §20D warning <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> None of the Above		<b>FINDING</b> <input type="checkbox"/> Not Guilty <input checked="" type="checkbox"/> Guilty <input type="checkbox"/> Not Responsible <input type="checkbox"/> Responsible <input type="checkbox"/> No Probable Cause <input type="checkbox"/> Probable Cause		<b>ADDITIONAL COMMENTS</b> <b>67-75 MONTHS of community service</b> <b>PSYCH. EVALUATION BY COURT CLINIC FOLLOW RECOMMENDATION DEEMED NECESSARY SENT TO MENTAL HEALTH</b>	
<b>COUNT/OFFENSE</b> <b>2. 90/6 NUMBER PLATE VIOLATION * c90 §6</b>		<b>SENTENCE OR OTHER DISPOSITION</b> <input type="checkbox"/> Sufficient facts found but continued without guilty finding until: <input type="checkbox"/> Probation <input type="checkbox"/> Pretrial Probation (278 §87) - until: <input type="checkbox"/> To be dismissed upon payment of court costs/restitution <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Comm. <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Dett <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Dett's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70C)		<b>FINE</b> <b>735</b> <b>SURFINE</b> <b>COSTS</b> <b>RESTITUTION</b> <b>VW ASSESSMENT</b> <input type="checkbox"/> <b>WAIVED</b>	
<b>DISPOSITION DATE and JUDGE</b> <b>11-24-04 CONNORS</b>		<b>FINAL DISPOSITION</b> <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged		<b>JUDGE</b> <b>DATE</b>	
<b>DISPOSITION METHOD</b> <input type="checkbox"/> Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §20D warning <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> None of the Above		<b>FINDING</b> <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Not Responsible <input type="checkbox"/> Responsible <input type="checkbox"/> No Probable Cause <input type="checkbox"/> Probable Cause		<b>ADDITIONAL COMMENTS</b> <b>5831.40000005/26/04-PAUL</b> <b>500.00</b>	
<b>COUNT/OFFENSE</b> <b>3. 272/99/G WIRETAP, UNLAWFUL, ATTEMPT c272 §99(C)(1)</b>		<b>SENTENCE OR OTHER DISPOSITION</b> <input type="checkbox"/> Sufficient facts found but continued without guilty finding until: <input type="checkbox"/> Probation <input type="checkbox"/> Pretrial Probation (278 §87) - until: <input type="checkbox"/> To be dismissed upon payment of court costs/restitution <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Comm. <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Dett <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Dett's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70C)		<b>FINE</b> <b>SURFINE</b> <b>COSTS</b> <b>RESTITUTION</b> <b>VW ASSESSMENT</b> <input type="checkbox"/> <b>WAIVED</b>	
<b>DISPOSITION DATE and JUDGE</b> <b>11-24-04 CONNORS</b>		<b>FINAL DISPOSITION</b> <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged		<b>JUDGE</b> <b>DATE</b>	
<b>DISPOSITION METHOD</b> <input type="checkbox"/> Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §20D warning <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> None of the Above		<b>FINDING</b> <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Not Responsible <input type="checkbox"/> Responsible <input type="checkbox"/> No Probable Cause <input type="checkbox"/> Probable Cause		<b>ADDITIONAL COMMENTS</b>	
<b>COUNT/OFFENSE</b> <b>4. 272/99/G WIRETAP, UNLAWFUL, ATTEMPT c272 §99(C)(1)</b>		<b>SENTENCE OR OTHER DISPOSITION</b> <input type="checkbox"/> Sufficient facts found but continued without guilty finding until: <input type="checkbox"/> Probation <input type="checkbox"/> Pretrial Probation (278 §87) - until: <input type="checkbox"/> To be dismissed upon payment of court costs/restitution <input type="checkbox"/> Dismissed upon: <input type="checkbox"/> Request of Comm. <input type="checkbox"/> Request of Victim <input type="checkbox"/> Request of Dett <input type="checkbox"/> Failure to prosecute <input type="checkbox"/> Other: <input type="checkbox"/> Filed with Dett's consent <input type="checkbox"/> Nolle Prosequi <input type="checkbox"/> Decriminalized (277 §70C)		<b>FINE</b> <b>SURFINE</b> <b>COSTS</b> <b>RESTITUTION</b> <b>VW ASSESSMENT</b> <input type="checkbox"/> <b>WAIVED</b>	
<b>DISPOSITION DATE and JUDGE</b> <b>11-24-04 CONNORS</b>		<b>FINAL DISPOSITION</b> <input type="checkbox"/> Dismissed on recommendation of Probation Dept. <input type="checkbox"/> Probation terminated: defendant discharged		<b>JUDGE</b> <b>DATE</b>	
<b>DISPOSITION METHOD</b> <input type="checkbox"/> Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §20D warning <input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> None of the Above		<b>FINDING</b> <input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Not Responsible <input type="checkbox"/> Responsible <input type="checkbox"/> No Probable Cause <input type="checkbox"/> Probable Cause		<b>ADDITIONAL COMMENTS</b>	
<b>TRUE COPY TEST:</b> <b>X</b>		<b>CLERK-MAGISTRATE/ASST. CLERK</b> <b>ON (DATE)</b>		<b>COURT ADDRESS</b> <b>Dedham District Court</b> <b>631 High Street</b> <b>Dedham, MA 02026-1048</b>	

**CRIMINAL COMPLAINT****0354CR000471****DEFENDANT**

HYDE, MICHAEL  
148 BRICKEL ROAD  
STOUGHTON, MA 02072

**Trial Court of Massachusetts  
Dedham District Court**



**TO ANY JUSTICE OR CLERK-MAGISTRATE  
OF THE DEDHAM DISTRICT COURT**

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date and at the location stated herein the defendant did commit the offense(s) listed below.

DATE OF BIRTH	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
11/24/1967	M	W	5'09"	170	BRO	BRO

INCIDENT REPORT #	SOCIAL SECURITY #
	033-48-4801

DATE OF OFFENSE	PLACE OF OFFENSE
02/15/2003	NEEDHAM

COMPLAINANT	POLICE DEPARTMENT
ROUTHIER, RACHAEL	SP FRAMINGHAM HDQTRS

DATE OF COMPLAINT	RETURN DATE AND TIME
02/19/2003	

**ARREST****COUNT-OFFENSE**

1. 272/99/F WIRETAP, UNLAWFUL c272 §99(C)(1)

on 02/15/2003 did wilfully commit an interception, or procure some other person to commit an interception or attempt to commit an interception, of some wire or oral communication, not being specifically excepted by G.L. c.272, §99, in violation of G.L. c.272, §99(C)(1). (PENALTY: state prison not more than 5 years; or jail or house of correction not more than 2½ years; or not more than \$10,000 fine; or both such imprisonment and fine.)

**PROSECUTION****COUNT-OFFENSE**

2. 90/6 NUMBER PLATE VIOLATION c90 §6

NOTE: THIS IS A CIVIL MV INFRACTION, SET FORTH HERE FOR PROCEDURAL PURPOSES ONLY. on 02/15/2003, while operating on a way a motor vehicle or trailer registered under G.L. c.90: (1) did fail to have its register number displayed conspicuously thereon by number plates at the front and rear of such vehicle, or a single number plate at the rear of such vehicle, as furnished or authorized by the Registrar of Motor Vehicles pursuant to G.L. c.90, §6 and §6C; or (2) did fail to keep such number plate or plates plainly visible and clean with the number legible and not obscured in any manner by the installation of any device obscuring such number, or covered with any glass, plastic or similar material that reduced the legibility or substantially diminished the reflective qualities of such number plate or plates; or (3) did fail to have its rear register number illuminated so as to be plainly visible at a distance of 60 feet during the period when such vehicle or trailer was required to display lights, in violation of G.L. c.90, §6 and 540 Code-Mass. Regs. §22.02. (CIVIL ASSESSMENT from \$20: \$35; 2nd offense in 12 months: \$75; 3rd offense in 12 months: \$150.)

**COUNT-OFFENSE**

3. 272/99/G WIRETAP, UNLAWFUL ATTEMPT c272 §99(C)(1)

on 02/15/2003 did wilfully attempt to commit an interception of some wire or oral communication, not being specifically excepted by G.L. c.272, §99, and in such attempt did [DESCRIPTION OF OVERT ACT], in violation of G.L. c.272, §99(C)(1). (PENALTY: state prison not more than 5 years; or jail or house of correction not more than 2½ years; or not more than \$10,000 fine; or both such imprisonment and fine.)

**COUNT-OFFENSE****COMPLAINANT**

X

**SWORN TO BEFORE CLERK-MAGISTRATE**

X

**ON (DATE)****TOTAL COUNTS**

3

**PROSECUTION COPY)**

FIRST JUSTICE  
Hon. GERALD ALCH

**COURT ADDRESS**

Dedham District Court  
631 High Street  
Dedham, MA 02026-1848

TRUE CLERK-MAGISTRATE/ASST. CLERK  
COPY

ON (DATE)

TEST: X

Jul-05 05 04:34p Norfolk Da

1234567890

p.3

<b>TENDER OF PLEA OR ADMISSION WAIVER OF RIGHTS</b>	DOCKET NO. 0359CR000471	NO. OF COUNTS 3	Trial Court of Massachusetts District Court Department
INSTRUCTIONS: This form must be typed or printed clearly, completed prior to the Pretrial Hearing, signed by both counsel and submitted to the court by the defendant at or before the Pretrial Hearing.	NAME OF DEFENDANT Hyde, Michael	COURT DIVISION Dedham District Court 631 High Street Dedham, MA 02026	

## SECTION I TENDER OF PLEA

Defendant in this case hereby tenders the following: ☒ PLEA OF GUILTY ☐ ADMISSION TO FACTS SUFFICIENT FOR A FINDING OF GUILTY  
 conditioned on the dispositional terms indicated below. Include all proposed terms (guilty finding, finding of sufficient facts, continued without finding, dismissal, fine, costs, probation period and supervision terms, restitution amount including the identification of the recipient of restitution, and any sentence of incarceration, split sentence or suspended sentence, etc.). Number each count and specify terms for each count separately.

COUNT NO.	DEFENDANT'S DISPOSITIONAL TERMS (Check "Yes" if Prosecution agrees - Check "No" if Prosecution disagrees)	PROSECUTOR'S RECOMMENDATION (Required if Prosecutor disagrees with terms)
1	Guilty - 1 year probation unsupervised probation YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Guilty, 2 years HOC ss 2 years Psychological Evaluation Comply with all treatment recommendation Sign not rescind all releases with probation. Not possess any <del>non</del> personal recording devices. 50 hours community service. \$65/month supervision fee \$50 VWF
2	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Resp. \$55 fine
3	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Dismiss.

WE HAVE CONSULTED WITH THE PROBATION DEPARTMENT REGARDING ANY PROBATION TERMS SET FORTH ABOVE.

SIGNATURE OF DEFENSE COUNSEL X L. I. T.	DATE 3/24/04	SIGNATURE OF PROSECUTING OFFICER X [Signature]	DATE 11/24/04
--	-----------------	---	------------------

## SECTION II PLEA OR ADMISSION ACCEPTED BY THE COURT

The Court **ACCEPTS** the tendered Plea or Admission on defendant's terms set forth in Section I, and will impose sentence in accordance with said terms, subject to submission of defendant's written WAIVER (see Section IV on reverse of this form), completion of the required oral COLLOQUY, a determination that there is a FACTUAL BASIS for the Plea or Admission, and notice of ALIEN RIGHTS.

## SECTION III PLEA OR ADMISSION REJECTED BY THE COURT

The Court **REJECTS** the defendant's dispositional terms set forth above and, in accordance with Mass. R. Crim. P. 12(c)(8), has set forth to the defendant the dispositional terms it would find acceptable, to wit:

G - 2yr. probation - supervised  
Full Court Panel + recommendation  
Release 1/1/05. \$7500  
\$90 v/w fee 7500  
\$65/mo supervision

## DEFENDANT'S DECISION IF COURT REJECTS TENDERED PLEA OR ADMISSION:

Defendant **WITHDRAWS** the tendered Plea or Admission; the parties must complete and file a Pretrial Conference Report, a Pretrial Hearing must be conducted and a trial date scheduled, if necessary.

Defendant **ACCEPTS** terms set forth by the Court, a Plea or Admission will be accepted by the court and said dispositional terms imposed, subject to submission of defendant's written WAIVER (see Section IV on reverse of this form), completion of the required oral COLLOQUY, a determination that there is a FACTUAL BASIS for the Plea or Admission, and notice of ALIEN RIGHTS.

SIGNATURE OF JUDGE [Signature]	DATE 11/24/04	SIGNATURE OF DEFENSE COUNSEL (if signed after decision with) L. I. T. KEEFE	DATE 11/24/04
-----------------------------------	------------------	--	------------------